

CONTACT REPORT

**DIVISION OF WATER RIGHTS
STATE WATER RESOURCES CONTROL BOARD**

SUBJECT: Owner Addition

DIVISION PERSONNEL:

Date:11/5/2007

Time: 1:35

Bill Rigby, WRIMS Unit

Telephone:

Individual / Agency Contacted: Tammy Ewin called to say her father Kenneth Bertagna and Judy Bertagna needed to be added as co-owners on Stmt.Nos. S013938 & S009671. I said I would change the Database to reflect her request.

RECOMMENDATION/ACTION:

SURNAME	B/R 11/5/07		
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State Water Resources Control Board

SURNAME



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger
Governor

Mailed 10/16/2007

In Reply Refer
to:300:BR:S009671 &
S013938

Roy and Tammy Ewin
P.O. Box 279
Montgomery Creek, CA 96065

Dear Mr. & Ms: Ewin:

OWNER ASSIGNMENT FOR STATEMENTS OF WATER DIVERSION AND USE NOS. S009671
AND S013938 FOR DIVERSION FROM HOBO CREEK TRIBUTARY TO MONTGOMERY CREEK
IN SHASTA COUNTY

On March 22, 2005 the State Water Resources Control Board, Division of Water Rights (Division)
received your Supplemental Statements of Water Diversion and Use (Statements) for 2002, 2003 and
2004, removing ~~Kenneth A. and~~ Nebile L. Bertagna as owners of the riparian claims.

Division staff updated the primary contact information for Statement Nos. S009671 and S013938 to
show the following:

Statement ID: S009671 & S013938
Current Owner: Roy and Tammy Ewin + KENNETH A, BERTAGNA
Mailing Address: P.O. Box 279
Montgomery Creek, CA 96065
Telephone: (530) 337-6995

A Supplemental Statement will be mailed to you every three years. The submittal of a Supplemental
Statement is the record of your water use. It is used by the Division to verify existing data and also gives
the Division the ability to notify you of water right matters related to your riparian claim.

Should you have questions regarding this matter, please contact me at (916) 341-5376 or
brigby@waterboards.ca.gov.

Sincerely,

BILL RIGBY
Engineering Associate
Data Management Unit

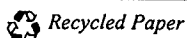
Cc: Kenneth A. and Nebile L. Bertagna
P.O. Box 81
Montgomery Creek, CA 96065

U:\Herdv\DMU\STATEMENTS\Backlog\Owner-Address changes\S009671 & S013938 asgn ltr
bklg.doc

SURNAME

BR 10/16/07

California Environmental Protection Agency





S009671%S%2004
STATE WATER RESOURCES
CO. 2002, 2003, 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

2005 MAR 22 AM 5:31

Please Complete and Return This Form by JULY 1, 2005.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: KENNETH A BERTAGNA;

NEBILE L BERTAGNA;

Ray + Tammy Ewin

JOHN A. BERTAGNA - TS
SACRAMENTO

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

KENNETH A BERTAGNA

PO BOX 81

MONTGOMERY CREEK, CA 96065

Ray + Tammy Ewin

PO Box 279

montgomerycal.ca
96065

STATEMENT NO.: S009671
CONTACT PHONE NO.: (916)337-6313

530-337-6995

Source Name: Unnamed Stream (Hobo Creek)
Tributary To: MONTGOMERY CREEK
County: Shasta
Diversion Within: NE1/4 of NE1/4 Section 36, T35N, R01W, MB&M

Year of First Use: 1898

Parcel Number: 027-310-14
027-310-15
027-340-14

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right ☒ Other (explain):

B. **Year of First Use:** (Please provide if missing above)

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

water use depends on what is in stream

Amounts below are in: Gallons				Million Gallons (MG)				Acre-feet (AF)			Other <input checked="" type="checkbox"/> as needed		
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2002	X	X	X	X	X	X	X	X	X	X	X	X	
2003	X	X	X	X	X	X	X	X	X	X	X	X	
2004	X	X	X	X	X	X	X	X	X	X	X	X	

D. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation: Approx. 40 acres; Stockwatering: 20-40 Head of cattle; Domestic: 2 lawns, Garden

How water is used - open ditch, 2-1/2 pipes, 1-3/4 pipe, 1/2 pipe

E. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

No change

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒
Describe any water conservation efforts you have initiated:

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

Reduction in consumptive use:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

08 18 05 PM

WRMS

SJD
5/11/05

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ☐ NO ☒

- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

State the type of substitute water supply:

Amount of substitute water supply used:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ☐ NO ☐

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ☐ NO ☐

- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ☐ NO ☐

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: March 16, 2005 at Montgomery Creek, California

SIGNATURE: Jammy Ewin

PRINTED NAME: Jammy (first name) D (middle initial) Ewin (last name)

COMPANY NAME:

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION

C Hobo Creek is a small creek that goes dry down by middle of summer, so we drop with the water. We always leave enough for the fish

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL DEPARTMENT
DIVISION OF WATER RIGHTS

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink

A. Name of person diverting water Roy & Tammy Ewin-Kenneth & Judith Bertagna
Address P.O. Box 279 Montgomery Creek, Cal 96065B. Name of body of water at point of diversion Hobo Creek-Unnamed Stream-STATE
Tributary to Montgomery CreekC. Place of diversion NE 1/4 NE 1/4 Section 36, Township 35N, Range R1W, Shasta B&M,
County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.D. Name of works Ewin Ranch & Bertagna PropertyE. Capacity of diversion works Open Ditch- 2-1 1/2 Pipes-13/4 pipe-1-1 1/2 cubic feet per second
Capacity of storage reservoir One Stock Pond - always open gallons per minute
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
x	x	x	x	x	x	x	x	x	x	x	x	x	

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years NA gallonsMinimum annual water use in recent years NA acre-feetType of diversion facility: gravity x, pump _____Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate xF. Purpose of use (what water is being used for) Irrigation-Approx-40-A- 2 Lawns
Garden- Stock Watering- Varies from 20-40 Head of cattleG. General description or location of place of use (use sketch of section grid on reverse side if you desire)
Parcel #027-310-14-027-310-15-027-340-14H. Year of first use as nearly as known 1909I. Name of person filing statement Tammy EwinPosition Ewin Ranch-Owner Organization Same as aboveAddress P.O. Box 279-Montgomery Creek, Cal. 96065

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED April 26, 2004 at Montgomery Creek, California.Signature Tammy Ewin

See Instructions on Reverse Side

5-9671

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: KENNETH A BERTAGNA, NEBILE L BERTAGNA

KENNETH A BERTAGNA
P O BOX 81
MONTGOMERY CREEK, CA 96065

STATEMENT NO: S009671

SOURCE: UNST
TRIBUTARY TO: MONTGOMERY CREEK
COUNTY: SHASTA
DIVERSION:

TELEPHONE NUMBER:
(916) 337-6313 1898
YEAR OF FIRST USE: 1933
PARCEL NO: 027-310-14
027-310-15
027-340-14

WITHIN: NE¼ OF NE¼ SECTION 36, T35N, R1W, MB&M.

- A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) _____
- B. Year of first use (Please provide if missing above) Found Deed that put first water use at 1898
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) Approx

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1-1/2
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1-3/4
1995	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1-1/2

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 40 acres; Stockwatering 15; Domestic 2 homes
Other (specify) Two lawns & four animals (horses & chickens) approx 3 acres & gardens
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. new pump, enlarged diversion dam, location of diversion, etc.)
- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: May 23, 19 96, at 19256 Sporty Dr Mont. Cal, Calif., California

SIGNATURE: Kenneth A Bertagna

PRINTED NAME: Kenneth (FIRST NAME) A (M. NAME) Bertagna (LAST NAME)

COMPANY NAME: NA

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

ITEM

CONTINUATION

This property has been split & a 1 1/2" pipe
is below the present diversion & carries water for
domestic use for Roy & Tammy Eiss on parcel
179 027-346-14

also my diversion dam has been moved up
stream approx 100' because of high water
causing problems.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California, riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

S-9671

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S009671
OWNER OF RECORD: KENNETH A BERTAGNA

KENNETH A BERTAGNA, et al
P O BOX 81
MONTGOMERY CREEK, CA 96065

STATE WATER CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
1995 MAY 11 PM 2:56

SOURCE: UNST
TRIBUTARY TO: MONTGOMERY CREEK
COUNTY: SHASTA
DIVERSION
WITHIN: NE¼ OF NE¼ SECTION 36, T35N, R1W, MDB&M.

TELEPHONE NUMBER:
(916) 337-6313
YEAR OF FIRST USE: 1933
PARCEL NO: 027-310-14
027-310-15
027-340-14

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

- A. Water is used under: Riparian claim ☒; Pre 1914 right ☐; Other (explain) _____
- B. Year of first use (Please provide if missing above) we are finding records that could revert this water to an earlier date
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) approx

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992			✓	✓	✓	✓	✓	✓	✓	✓	✓		
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	2-1/2" figure 1-3/4"
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	11"

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation approx 40 acres; Stockwatering 15; Domestic 2 houses at times
Other (specify) 2 lawns, approx (3 acres) & Gardens, at both homes

*** CONTINUE ON BACK PAGE ***

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

This property has been split a 1 1/2" pipe is below the present Diversion & carries water for Domestic use for parcel # 027-340-14 for Roy & Sammy Evans

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: *5/8/95*, 19 *95*, at *Montgomery Park Calif 90065*, California
SIGNATURE: *Kenneth A. Bertagna*
PRINTED NAME: *Kenneth* (FIRST NAME) *A* (M. NAME) *Bertagna* (LAST NAME)
COMPANY NAME: _____

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"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockpounds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE
INFORMATION SHEET

STATEMENT NO. 5009671

DIVERSION SITE:

OWNER'S NAME Kenneth A Bertagna
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 027-310-14

PLACE OF USE:

OWNER'S NAME Kenneth A. Bertagna & Royd-Tammy Ewin
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 027-310-14

2. PARCEL NO. 027-310-15

3. PARCEL NO. 027-340-14

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER Owner - Remaining Family members
NAME Kenneth A Bertagna
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS P.O. Box 61
Montgomery Creek Calif 96065
(CITY) (STATE) (ZIP)

TELEPHONE NO. (916) 337 - 6313

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME New OWNERS - Don't know them
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS Old Rudy Bzlmz Ranch
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

2. NAME
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL
INFORMATION BOX.

May 8, 1995

Parcel # 027-310-14
Parcel # 027-310-15
Parcel # 027-340 14

STATE WATER RESOURCES
CONTROL BOARD

MR WYNN ROWLAND

Statement #=S009671
Statement #-S013938

I am sending back these forms for water rights that have even become confusing for me so will explain for you if I can what is going on.

The water rights were filed under the name of Kenneth A. Bertagna & Neblie L. Bertagna.

In 1988 dad passed on and I informed you that the water rights had changed as of 1992 because my daughter had bought part of the home place which is split by US highway 299E.

Roy & Tammy Ewin were sent a copy of their water rights which was the wrong ones which was no fault of yours it was an error made by Me not thinking about it at the time the one they should have gotten was from Bass Spring not Hobo Creek.

They do have a water right which is repairian from Hobo Creek that is from a ditch and 1½ inch pipe line that is shown on the form which was just sent.. This water right is from below the Diversion Dam that I have, the Property they get their water from out of Hobo Creek is part of the original Home Place and now belongs too Kenneth Bertagna, Nadine Davis, Raymond Bertagna & Colleen Bertagna which we inherited after Dads Death.

This water has been used as long as all of the water rights on this ranch have been here but is now in Roy & Tammy Ewins name

The part of the Water Right that they should have been sent a copy of is the one from Bass Spring #S013938 and not from #S009671 which is mine and the property that still belongs too the three property owners.

Too try and make it more understanding I have A Water Right out of Bass Spring and also Hobo Creek. I also am still part owner of the remaining property of Dads that has not been sold.

All Water Right that have been filed have been done so by Me and all correspondence from your Office has been done with & by Me no one else in the family knows or understands any of the Water Rights of all Three Parcels listed on these forms.

STATE WATER CONTROL
DIVISION

1995 MAY 11 PM 2:57

DIV. OF WATER RIGHTS
SACRAMENTO

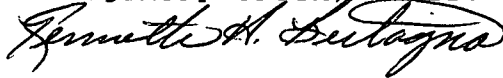
May 8 1995

I hope this will straighten out all of the Water Rights and that it didnt cause you problems because I wasnt paying as much attention to it as I should have if there is any more that you need too straighten this out I will do everything that it takes too put this problem on the right track.

I apologize for the mistake that was made by me and hope this will correct it.

Thank you for your help in this matter.

Kenneth A. Bertagna
P.O. Box 81-19256 Spootsy Dr.
Montgomery Creek, Calif.-96065



Parcel #-027-310-14-Kenneth & Judith A. Bertagna

Parcel #-027-340-14-Roy & Tammy Ewin

Parcel #-027-310-15-Kenneth Bertagna, Nadine Davis, Raymond Bertagna
& Colleen Bertagna

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 322-5741
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1987 JAN 14 AM 11:47

DIVERTER OF RECORD:

STATEMENT NO: 009671

KENNETH A & NEBILE L BERTAGNA
P O BOX 81
MONTGOMERY CREEK, CALIF 96065

DIV. OF WATER RIGHTS
SACRAMENTO

TELEPHONE NUMBER:
(916) 337-6313

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED STREAM

TRIBUTARY TO: MONTGOMERY CREEK

COUNTY: SHASTA

DIVERSION

WITHIN: NE1/4 OF NE1/4 SECTION 36, T35N, R01W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1987. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1984	✓			✓	✓	✓	✓	✓	✓				
1985			✓	✓	✓	✓	✓	✓	✓	✓			
1986			✓	✓	✓	✓	✓	✓	✓	✓	✓		

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40 - 2 CRES

Stockwatering 1986 - 70 Head of Cattle

Domestic 2 - 2 CRES LAWN - GARDEN

Other (specify) 9 - Flower Beds

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: Jan 11, 1987, at Montgomery Creek, Calif. California

Signature: Kenneth A. Bertagna

JAN 15 1987

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockpounds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

1989 JAN 17 PM 3:07

STATEMENT NO: 009671

KENNETH A & NEBILE L BERTAGNA DIV.
P O BOX 81
MONTGOMERY CREEK, CA 96065
SACRAMENTO

TELEPHONE NUMBER:
(916) 337-6313

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED STREAM - Hobo-Creek

TRIBUTARY TO: MONTGOMERY CREEK

COUNTY: SHASTA

DIVERSION

WITHIN: NE1/4 OF NE1/4 SECTION 36, T35N, R01W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons
☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct	Nov.	Dec	Total Annual
1987			✓	✓	✓	✓	✓	✓	✓	✓	✓		
1988			✓	✓	✓	✓	✓	✓	✓	✓	✓		
1989			✓	✓	✓	✓	✓	✓	✓	✓	✓		

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40 ACRES

Stockwatering 10-25 Head CATTLE & horses

Domestic 2-ACRES LAWN FLOWER BEDS - TREES

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED:

June 10

19

90

at

Montgomery Creek, Calif.

Signature:

Kenneth A. Bertagna

MAR 1 9 1990
CALIFORNIA

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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- "Appropriation of Water in California"

(916) 657-1875
FAX: 657-1485

In Reply Refer
to: 332:WR:S-9671

JULY 1 1994

Roy and Tammy Ewin
P.O. Box 13
Round Mountain, CA 96084

Dear Mr. and Mrs. Ewin:

STATEMENT OF WATER DIVERSION AND USE NUMBER 9671

The son of the present holder of record for the above numbered statement has advised us that the property served has been transferred to you. Our records will be updated to show you as owner of this statement.

The next supplemental statement forms will be sent to you in January 1996.

If you have any questions or concerns, please contact me at the above number.

Sincerely,

ORIGINAL SIGNED BY:

Wynne Rowlands
Associate Land and Water Use Analyst
Application Unit #2

Enclosure

WR 40b (5/94)

bcc: OPG/KSN

WRowlands:pminer:7-1-94

o:forms:40:s9671

SURNAME

DWR 540 55.1 55

Rowlands
7-1-94

WR

Dear Mr Rowlands

(IN REFERENCE to 332;WR;S9671

1875-1876

Thank You
Kenneth A. Bertagna
P.O. Box 81
Montgomery Creek, Calif.
96065

P.S. I have lived here my entire life and if I can be of help on something in this area in the future please let me know

STATE WATER RESOURCES
CONTROL BOARD

1994 JUN 29 AM 6:23

DIV. OF WATER RIGHTS
SACRAMENTO

(916) 657-1875
FAX: 657-1485

In Reply Refer
to:332:WR:S9671

JUNE 23 1994

Kenneth A. Bertagna
P.O. Box 81
Montgomery Creek, CA 96065

Dear Mr. Bertagna:

STATEMENT OF WATER DIVERSION AND USE, STATEMENT NUMBER 9671

Thank you for your letter of May 16, 1994 advising that your father's property served under the above statement has been sold to Roy and Tammy Ewin. Please advise us of the mailing address for the Ewins.

Sincerely,

ORIGINAL SIGNED BY:

Wynne Rowlands
Associate Land and
Water Use Analyst
Application Unit #2

WROWLANDS:shalbert:6-21-94
o:wr:s9671

SURNAME
DWR 540 REV. 1 88

Rowlands
6-23-94

May 16, 1994

ECT
R
om M/L
WR

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

As you requested that I mark where we get water from Bass Spring, I done so with a Black marker at the point where I believe according to the best that can be told looking at these maps where the point is.

Bass Spring runs into HOBO Creek at a point just below my west property line and then goes on down Hobo Creeek where it dumps in too Montgomery Creek at a point just behind the Mountain Union School.

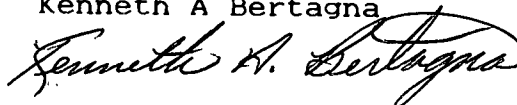
Bertagna - 59671

Also our father who was Neblie has since Deceased and the water from Bass Spring that is piped too his home has been sold too Roy & Tammy Ewin. Please make note of the change

If I can be of assistance in this matter in any way please let me know.

Thank You

Kenneth A Bertagna



P.S. I Still own my home that is also piped from the same point.

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

S9671

A. Name of person diverting water Kenneth A. Bertagna & Neblie I. Bertagna
Address P.O. Box 81 Montgomery Creek, Calif. 96065 Telephone: 337-6313

B. Name of body of water at point of diversion Unnamed Stream (Hobo Creek)
Tributary to Montgomery Creek then Pit River
App. 530' from Northeast Corner

C. Place of diversion NE 1/4 NE 1/4 Section 36, Township 35, Range 1/W, MDM B&M,
Shasta County, or locate it on sketch of section grid on reverse side with regard to section
lines or prominent local landmarks.

D. Name of works _____

E. Capacity of diversion works _____
Capacity of storage reservoir 12' deep by 100' wide
State quantity of water used each month in gallons or acre-feet.

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
			X	X	X	X	X	X	X	X	X		

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.
10 acres irrigated pasture, 1 acre of lawn, 5 to 65 head of livestock

Maximum annual water use in recent years _____ gallons
acre-feet

Minimum annual water use in recent years _____ gallons
acre-feet

Type of diversion facility: gravity X, pump _____

Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate X

F. Purpose of use (what water is being used for) irrigation and stock pond

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

H. Year of first use as nearly as known 1933

I. Name of person filing statement Kenneth A. Bertagna
Position Property Owner Organization _____

Address P.O. Box 81 Montgomery Creek, Calif. 96065 Telephone: 337-6313

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.
DATED: November 26, 19 78, at Montgomery Creek, California.

Signature: Kenneth A. Bertagna

See Instructions on Reverse Side

0-021-03-00-8

C-19

SWRCB 10/77